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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/619,107

07/14/2003

Kelson Yen

T-1242

5808

802

7590

08/23/2006

PATENTTM.US

P. O. BOX 82788

PORTLAND, OR 97282-0788

EXAMINER

TARANINA, MARINA Y

ART UNIT

PAPER NUMBER

2631

DATE MAILED: 08/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/619,107	Applicant(s) YEN, KELSON	
	Examiner Marina Taranina	Art Unit 2613	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 2 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☒ Claim(s) 1 and 2 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 July 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided (line 12 that recites legal term "thereby" should be corrected).

Drawings

2. The drawings are objected to because there are no labels for blocks 10, 11, 12, 20, 21, 22 in figure 1, 11 and 12 in fig. 2, 21 and 22 in fig. 3, 63, 631, 632, 633, 64, 641, 642, 643 in fig. 5, 631, 632, 633 in fig. 6, 641, 642, 643 in fig. 7. These blocks need to have descriptive labels under 37 CFR 1.84(n) and 1.84(o). For example, "optical transmitter assembly" may be used for the label of block 21.

Claim Objections

3. Claims 1 and 2 (2/1) are objected to because of the following informalities: claim 1, line 38 recites "a **second** optical filter", however, "a first optical filter" has not been introduced before. "**A second optical filter**" should be corrected to "**an optical data**

filter" in order to make a proper antecedent basis for the limitation. Appropriate correction is required.

Allowable Subject Matter

4. Claims 1 and 2 would be allowable if overcome the objections as described above.

5. The following is a statement of reasons for the indication of allowable subject matter: the prior art of record does not teach or suggest a combination of a single wavelength optical receiver and a dual wavelength optical transmitter into one assembly. Further, prior art of record does not teach or suggest a combination of a single wavelength optical transmitter and a dual wavelength optical receiver into one assembly.

Conclusion

6. This application is in condition for allowance except for the following formal matters: objections in specification, drawings and claims as described above.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 5,594,580 discloses optical space communication apparatus;

US 6,381,055 discloses transceiver positioning in free space optical networks;

US 2004/0208598 discloses optical wireless transceiver;

US 3,705,986 discloses optical data transmission system

6,031,648 discloses automatic gain control for free space optical communication links

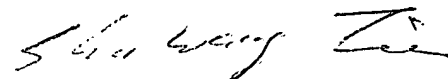
6,804,422 integrated optic component for binocular FSO transceiver

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marina Taranina whose telephone number is 571 270 1085. The examiner can normally be reached on Mon-Fri (alternative Fri off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Shuwang Liu can be reached on 571 272 2600. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MT
17 Aug 2006



SHUWANG LIU
SUPERVISORY PATENT EXAMINER